

**CITY OF ANTIOCH
PLANNING COMMISSION MINUTES**

**Regular Meeting
6:30 p.m.**

**January 6, 2010
City Council Chambers**

CALL TO ORDER

Chairman Langford called the meeting to order at 6:30 p.m. on Wednesday, January 6, 2010, in the City Council Chambers. He stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on Thursday, January 14, 2010.

ROLL CALL

Present: Commissioners Langford, Westerman, Johnson, Azevedo, Manuel, Baatrup and Travers
Absent: None
Staff: Community Development Director Wehrmeister
Senior Planner Morris
Community Development Technician Stahl
City Attorney Nerland
Minutes Clerk Hammers

PLEDGE OF ALLEGIANCE

Chairman Langford welcomed new Planning Commissioner, Greg Baatrup, replacing Commissioner Nancy Brandt.

PUBLIC COMMENTS

Douglas Tokes, resident of Antioch spoke regarding the Cornerstone Christian Center. He indicated that he shares 300 feet of the fence line and that he was concerned with the maintenance of the landscaping and the lack of trees. He stated that Cornerstone stopped watering their landscaping during the summer, let their groundcover die creating erosion problems and that the trees planted are no larger than shrubs. He went on to state that the need for trees to block noise and light was needed, especially given the special events like the 4th of July and Easter.

Commissioner Langford asked Mr. Tokes if he had spoken with the Community Development Department to which he stated that he had as well as talking with the Mayor.

Community Development Director Tina Wehrmeister stated that she would follow up and report back to the Planning Commission.

Commissioner Azevedo clarified with CDD Wehrmeister that the landscaping would be restored equal to the plans.

CONSENT CALENDAR

1. Approval of Minutes: November 4, 2009

On motion by Commissioner Johnson, and seconded by Manuel, the Planning Commission approved the Minutes of November 4, 2009.

AYES: *Westerman, Johnson, Manuel, and Travers*
NOES: *None*
ABSTAIN: *Baatrup, Langford*
ABSENT: *None*

END OF CONSENT CALENDAR

NEW PUBLIC HEARINGS

2. UP-07-14/AR-07-19 T-Mobile requests approval of a use permit to install new cellular antennas and roof top equipment at Kaiser Medical Center located at 4501 Sand Creek Road. The project site is located at 5201 Deer Valley Road (APN 057-022-017).

Kim Stahl, Community Development Technician, provided a summary of the Staff Report dated December 22, 2009.

Commissioner Travers clarified with CDT Stahl that the design for the installation on this project would be followed. CDT Stahl stated that given that this is a new building, staff is concerned that the project maintain the architectural integrity of the building.

OPENED PUBLIC HEARING

Applicant Ann Welsh for T Mobile presented a power point presentation. She stated that they have been working for a number of years and have made revisions. She also stated that there were a number of problems with screening the rooftop and that the architect who designed the building put perforated screening all around the roof to reduce wind load and to construct the building less expensively. Although staff would prefer solid screening, applicant Welsh expressed concern that the present screening had just been installed and to take it away and replace it was totally beyond the budget. She stated that they have come up with a design to replace the screen on three corners of the building and that the building is surrounded by vacant land and set back from the road. She further indicated that since the equipment would be located 70 feet in the air, 15 feet from the edge of the building and behind a 5 foot wall, that there would be no visual impact aesthetically. Applicant Welsh referred to the two handouts given to the

Planning Commission, one of which is for a similar facility in Vacaville. She went on to state that a representative from Kaiser was also present for any questions.

Vice Chair Johnson asked applicant Welsh if only T-Mobile customers would utilize the cell service or would there be other carriers to which applicant stated that it would be only T-Mobile at this point but that there is potential on site for another carrier.

Commissioner Travers questioned applicant Welsh about the ability to put another set of antennas in the T-Mobile project area or whether they would need to build one adjacent to T-Mobile and if another carrier came in would Kaiser be the beneficiary to which applicant responded that given the transparent material being lengthy that a carrier could co-locate and that although she does not know the details of any leases for future carriers, Kaiser would benefit from additional leases. Applicant Welsh stated that she does not know if a solid wall can be installed to which Commissioner Travers stated that given that new housing is proposed in the surrounding area, that he is concerned with the aesthetics and felt that with a new building, the solid wall would look much better. Commissioner Travers also stated that it is apparent that Vacaville may have different guidelines than Antioch.

Commissioner Baatrup clarified with applicant Welch that the project would serve 1,800 to 1,900 T-Mobile customers to which applicant stated that she anticipated that most of the use would be for %inside the Building+which means for use by customers within their homes and businesses and for mobile users in the surrounding area.

Commissioner Travers asked applicant if the 1,800 figure is for present or if it would include future housing to which applicant stated she was not sure.

Chairman Langford questioned staff if the screening would have to be expanded to allow other carriers to which CDT Stahl stated it would. Applicant Welsh stated that this would probably depend on the carrier but that more screening may be required. Commissioner Langford then asked applicant Welsh about whether calculations were done for engineering and if solid screening would cause a problem given the wind load to which applicant stated that since the project has not been approved, that full constructions documents will need to be done down the road once project is approved.

Karl Uhrenholt representing the construction department for T-Mobile indicated that in addressing the wind load, engineering did look at it and thought that it would work. Chairman Langford then asked if the product submitted this evening is the actual material to be used to which Mr. Uhrenholt stated that this material would screen without interfering with the antennas. Chairman Langford then asked if the new solid panel made to match the existing stucco would have reliefs or if they would be painted on to which Mr. Urenholt stated that they can install them either way and that it would be up to the Commission.

Commissioner Azevedo clarified with staff that the panels could be extended and that replacing the entire wall as an option. Mr. Urenholt with T-Mobile stated that only that

portion would be removed and that another carrier coming in could use the same materials to match.

Donna Maghee with Kaiser stated that the screening was aesthetically pleasing, that most people notice the building and not the roof given the height off the ground and that this would provide great cell coverage while blending in with the same colors of the building.

Commissioner Azevedo questioned Ms. Maghee from Kaiser if structural enhancements were left out which would make the ceiling vulnerable to collapse to which she stated that the perforation reduced costs and wind load was taken into account but that she has no calculations or numbers. Commissioner Azevedo stated that he did not feel that he had enough information to make a decision tonight.

Chairman Langford stated that a condition could be added to make the screening safe and Commissioner Azevedo asked if staff had done preliminary calculations. CDD Wehrmeister stated that staff can talk with building and bring information back to the Planning Commission and that perhaps the area is windier than anticipated. She further stated that the pharmacy and the emergency department are planning to install wind blocking devices.

Chairman Langford stated that a condition can be inserted to take care of all calculations to make the screening work.

Commissioner Travers stated that they could approve or deny the antennas and then approve or deny the aesthetics or could continue one of them to which CDT Stahl indicated that was correct.

CDD Wehrmeister indicated that they may want to hold off on the Use Permit as well to which Commissioner Travers stated that they could place a condition of approval.

CLOSED PUBLIC HEARING

Chairman Langford indicated that there is one resolution to approve the cell site and the other resolution to approve the plan and the design.

Use Permit Resolution:

Vice Chair Johnson stated that he could support the cell site as long as City requirements and building codes are met.

Commissioner Travers concurred with Vice Chair Johnson and stated that this would be a great service to the community. He then made a motion to approve the resolution subject to a condition.

City Attorney Nerland interjected that condition 17 addressed the specific use and that design review could be decided another time.

RESOLUTION NO. 2010-01

On motion by Commissioner Travers, and seconded by Commissioner Johnson, the Planning Commission approves the installation of a telecommunications facility at 5601 Deer Valley Road, subject to all conditions.

AYES: *Westerman, Baatrup, Johnson, Langford, Azevedo and Travers*
NOES: *Manuel*
ABSTAIN: *None*
ABSENT: *None*

Design Review Resolution:

Vice Chair Johnson stated that after reviewing the photos and seeing the presentation, that he could support this proposal as long as the engineering reports find it is safe.

Commissioner Travers stated that he felt that there needs to be uniformity in the design, that this needs to be done the right way the first time and that he is concerned about setting a precedent. He stated that the future of the building needs to be looked at and is concerned that if other carriers go in that this is not pieced together. He further stated that he is opposed to decreasing the aesthetic value of the building and could not support the project as it stands.

Commissioner Azevedo stated that the resolution before the Commission is to deny, that this would then go back to staff and the applicant would need to bring in data that either confirms or denies that going to a solid screen would have a structural impact on the building and that the Planning Commission would then make a choice to use the existing screen. CDT Stahl interjected that the Planning Commission could deny without prejudice and that applicant could back and continue with the same design given the structural facts not to put up a solid wall for the Commission to consider.

City Attorney Nerland interjected that once there is a final action that it could be appealed.

Commissioner Manuel stated that the applicant needs to find out if structurally this would work, he would be supporting with the recommendation to work with the applicant to see if concerns could be addressed but felt they may be unprepared tonight to act on the item.

Commissioner Azevedo stated that he is comfortable with a vote on the first part with the caveat to meet design specifications but that information is needed on the impact to the structure.

Vice Chair Johnson questioned staff that since they had been working with this for two years if research was done for a perforated screen that would be transparent to which CDT Stahl stated that perforated screen was one of many different options considered over the years.

Chairman Langford then asked Donna with Kaiser if Kaiser had any intentions of bringing in more carriers to which she stated that she did not know but that cell phone coverage in that area is terrible.

Chairman Langford stated his concern with the material being duplicated to look like the existing and that he was not ready to approve the project as is.

Commissioner Azevedo moved for a continuance.

City Attorney Nerland interjected that the preference would be to set a date.

Commissioner Azevedo moved to continue this matter to February 3, 2010, which was seconded by Commissioner Westerman.

3. Walmart EIR Public Comments - Hearing to receive oral comments on the Draft Environmental Impact Report prepared for the Walmart Expansion Project. The project site is located at 4893 Lone Tree Way (APN 056-011-030).

Chairman Langford stated that the item on the agenda tonight is to receive public comments only, that the Commission will not make any determinations and that comments made tonight should be specific to the environmental report, not about design.

Alexis Morris, Senior Planner, provided a summary of the Staff Report dated December 17, 2009.

Chairman Langford stated that anyone here was planning to speak on the final outcome of the project and would like to be notified, that staff will provide a paper to leave addressed for notification.

Devi Lanphere with the Chamber of Commerce stated that she is in support of the project, is excited to see the project go forward and feels this is a great opportunity for the City to receive revenue as well as provide jobs. She stated that Antioch lost Winco and that given that Walmart is a good member of the community, does not want to make it difficult for projects like this in Antioch.

Melroy Tergen stated that he is representing twelve people who support the development of the project. He stated that Winco is in Pittsburg and in Brentwood and not in Antioch. He stated that this project would provide jobs, be a benefit to the community and that Super Walmarts are located throughout the country and should not be denied here.

Chairman Langford read the statement left by George and Patricia Davis who stated that they are very disappointed that the Planning Commission previously denied Walmart to expand in Antioch and would like the Commission to reconsider the previous decision and allow a Super Walmart in Antioch.

Commissioner Azevedo interjected that the Planning Commission approved the project in 2005.

Chairman Langford read a comment from Lise Bartl-Lewin who stated that she is against Walmart's addition on Lone Tree Way, that she lives in the neighborhood, that crime and littering has increased and she is afraid to walk along in the area.

Bobbie Brittner stated that she is supportive of the project, and is thrilled that the Planning Commission is considering going forward with it at this time. She stated that she lives nearby, that she feels comfortable, feels the store is ran well and she strongly approves the project.

Chairman Langford stated that no action will be taken by the Planning Commission, that the comments will be taken by staff and that everyone is invited back to voice opinions at that time.

ORAL COMMUNICATIONS

None.

WRITTEN COMMUNICATIONS

Nothing was reported.

COMMITTEE REPORTS

None.

ADJOURNMENT:

Chairman Langford adjourned the Planning Commission at 7:46 p.m. to the next regularly scheduled meeting on January 20, 2010.

Respectfully Submitted,
Cheryl Hammers